

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, December 21, 1999, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CHARLES V. SMITH**  
CHAIRMAN  
First District

**THOMAS W. WILSON**  
VICE CHAIRMAN  
Fifth District

**TODD SPITZER**  
SUPERVISOR  
Third District

**JAMES W. SILVA**  
SUPERVISOR  
Second District

**CYNTHIA P. COAD**  
SUPERVISOR  
Fourth District

ATTENDANCE: All present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER Janice M. Mittermeier  
COUNTY COUNSEL Laurence M. Watson  
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Coad, Fourth District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Supervisor Spitzer presented a check to TGIF and Orangewood Children's Home

Supervisor Wilson NN recognized Frank and Fran Robinson for their many years of commitment to Upper Newport Bay

Chairman Smith recognized Judge Eileen C. Moore of the Superior Court

### **II. CONSENT CALENDAR (Items 1-37)**

53241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 6 WHICH WAS DELETED; ITEM 28 WHICH WAS CONTINUED TO 1/11/2000, 9:30 A.M.; ITEMS 10, 29, 32, 35 AND 36 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEM 33 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA.**

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## DEPARTMENT APPOINTMENTS

1.      **Chairman Smith** - Orange County Regional Airport Authority - Appoint Supervisors Cynthia Coad, as primary ex-officio member and James Silva, as alternate
2.      **Health Care Agency** - Orange County HIV Planning Council - Reappoint Jeremiah G. Tilles, Irvine; Yolanda Gascon, San Clemente; Mary Hale, Lake Forest; Penny C. Weismuller, Orange; Dianna Marie DeVane, Huntington Beach; Thomas J. Peterson, Newport Beach; Ronald R. Viramontes, Newport Coast; Thomas Nylund, Anaheim; Pearl Jemison-Smith, Garden Grove; Veronica Ramirez-Walker, Anaheim; Jeffrey A. Byers, Sacramento; Karen Schneider, Laguna Beach; Julio Rodriguez, Long Beach; Linda Foster, Fullerton and appoint Mary M. Watson, Irvine; Sandra Maldonado-Sandoval, Durate and Leticia M. Quinlan, Orange to complete terms ending 12/31/01

## COMMUNITY SERVICES AGENCY

3.      Approve submission of grant application to United States Department of Education, Office of Special Education and Rehabilitative Services for Projects with Industry grant funds (\$200,000) - All Districts

## INTEGRATED WASTE MANAGEMENT DEPARTMENT

4.      Approve plans and specifications and set bid opening for 1/26/00, 2:00 p.m., for groundwater treatment system relocation, Olinda Alpha Landfill; and make California Environmental Quality Act findings - District 3

## PLANNING AND DEVELOPMENT SERVICES

5.      Approve amendment 8 to agreement D93-030 with Hearthside Homes (previously Koll Real Estate Group) to facilitate review and coordination of the Bolsa Chica Local Coastal Program and related planning documents; and amendment 10 to agreement D93-045 with Keeton Kreitzer Consulting to assist in preparation of environmental documents for Bolsa Chica - District 2
6.      Approve assignment and assumption agreement with Los Alisos Citrus Ranch - West, A.J. West Ranch, LLC and City of Lake Forest related to acquisition of properties by A.J. West Ranch LLC from Los Alisos Citrus Ranch - West - District 3

53241      **DELETED**

7.      Approve Tract 15842, Toll Land XX Limited Partnership, Coto de Caza area; accept dedication of Lots H, I and J for Regional Park; accept easements for riding and hiking trail and scenic preservation, Lot A; do not accept dedication of easement for street and highway over Lot G and portion of Lot M; approve construction agreement S899-2651 and accept bonds guaranteeing construction of improvements; approve agreement D99-115 and accept bond guaranteeing grading of Crown Valley Parkway; approve construction agreement D99-116 and accept bond guaranteeing construction of Crown Valley Parkway - District 5
8.      Approve Tract 15841, Toll Land XX Limited Partnership, Coto de Caza area; accept dedication of Lots E and I for Regional Park purposes; accept easements for riding and hiking trail and scenic preservation over Lot A; approve construction agreement S899-2650 and accept bonds guaranteeing construction of improvements - District 5

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9. Approve Tract 15869, Rancho Santa Margarita Lot Option, L.P., Rancho Santa Margarita area; accept dedication for street purposes; accept easements for storm drain, scenic preservation, vehicular access rights; abandon easement for scenic preservation over Lot E of Tract 12946; approve construction agreements S1199-2660 and D99-126 and accept bonds guaranteeing construction of improvements - District 5

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

10. Approve agreement with and execution of quitclaim deed to Saddleback Valley Community Church for sale of 2,882-square foot surplus parcel, El Toro Road and Marguerite Parkway, Lake Forest; and make California Environmental Quality Act and other findings - District 3

35241 **APPROVED AS RECOMMENDED**

11. Accept easement deed from Fluor Daniel Realty Trust 1997 for street and highway purposes along Laguna Hills Drive, Aliso Viejo; and make California Environmental Quality Act findings - District 5
12. Approve agreement D99-121 with TRAILS4ALL to continue restoration and maintenance activities for recreational trails, beaches and waterways, in exchange for in-kind services (not to exceed \$6,000 per year) - All Districts
13. Terminate emergency at the Santa Ana River at First Street in Santa Ana - District 1 (Continued from 11/9/99, Item S36F; 11/23/99, Item 33; 12/7/99, Item 26)
14. Receive bids and award contract to RS Elevator Corporation for modernization of elevators at various locations, Santa Ana and Westminster (\$206,258) - District 1
15. Receive bids and award contract to Millar Elevator Service Company for replacement and modernization of elevator controls and equipment room main dispatch controller units for elevators 1, 2, 3, and 4 at Central Justice Center, Santa Ana (\$449,930) - District 1
16. Approve agreement D99-078 with City of Westminster and set bid opening for 1/26/00, 2:00 p.m., for installation of traffic signal and highway lighting system at Bolsa Avenue and Purdy Street; adopt resolution declaring the intersection of Bolsa Avenue and Purdy Street as a County highway for purposes of construction and make California Environmental Quality Act findings - District 1 (R.A. 2, 4/5 vote)

### **Acting as the Orange County Flood Control District:**

17. Approve agreement D98-111 with City of Huntington Beach for modification of City facilities, Talbert Channel improvement project - District 2
18. Approve agreement D99-106 with PCR Services Corporation for environmental permitting services - All Districts
19. Approve agreement with and execution of easement deed to Mesa Consolidated Water District for sale of district owned parcel of surplus real property, Greenville-Banning Channel, Costa Mesa; and make California Environmental Quality Act and other findings - District 2
20. Approve agreement with and execution of quitclaim deed to Sandpiper Coalition, LLC for sale

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of a 1.11-acre district owned parcel of surplus real property, Greenville-Banning Channel, Costa Mesa; and make California Environmental Quality Act and other findings - District 2

## **SOCIAL SERVICES AGENCY**

- 21 .        Approve amended agreement CCK1499 with The Regents of University of California for drug testing services - All Districts

## **PUBLIC PROTECTION**

### **Probation:**

- 22 .        Approve agreement with Orange County Superintendent of Schools for provision of personnel support services for Addictive Substance Abuse Education and Recognition Treatment Program, Youth Guidance Center, 9/1/98 - 12/31/00 - District 1
- 23 .        Adopt resolution ratifying the submission and execution of grant application and grant award agreement to State Office of Criminal Justice Planning for Juvenile Justice and Delinquency Prevention Program funds, 2/1/00 - 1/31/01 (\$200,000); and make California Environmental Quality Act findings - All Districts  
R99-512
- 24 .        Ratify execution of amendments 2 and 3 and approve amendment 4 to the Term Special Use Permit with the United States Department of Agriculture for improvements to Los Pinos Conservation Camp - District 5

### **Sheriff-Coroner:**

- 25 .        Adopt resolution rescinding Resolution 98-67 and authorizing certain officers and employees to acquire Federal surplus property from California State Agency for Surplus Property - All Districts  
R99-513
- 26 .        Relieve low bidder, R-Cold, Inc., from obligation; receive bids and award contract to Gary F. Lyons & Associates for installation of walk-in freezer, Inmate Commissary Building, Anaheim (\$99,530) - District 4
- 27 .        Approve purchase of firearms training system and upgrade of existing system from Advanced Interactive Systems for training simulators at Laser Village (\$100,000) - All Districts
- 28 .        Approve consulting services agreement with Lerch Bates and Associates, Inc. for inspection of elevators, escalators and preparation of necessary reports - All Districts

53241        **CONTINUED TO 1/11/2000, 9:30 A.M.**

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## GENERAL ADMINISTRATION

### County Counsel:

- 29 .                    Approve settlement of County of Orange v. California Department of Aging; California Department of Health Services, Case No. 98300060; and authorize County Counsel to execute necessary documents - All Districts  
23451                    **APPROVED AS RECOMMENDED**

- 30 .                    Approve settlement in Orange County Superior Court Case No. 81-54-80; and authorize Probation Department to pay attorney's fees and costs as part of the settlement agreement to Ron Talmo, Attorney at Law, Santa Ana (\$3,000) - All Districts

### County Executive Office:

- 31 .                    Approve purchase order PC 038 P9900011944 with WAVE Imaging Corporation for purchase of a document imaging system (\$185,000) - All Districts
- 32 .                    Adopt resolution approving County of Orange Equal Employment Opportunity Policy and Procedure; disseminate the policy to all County employees and establish controls to ensure compliance with these policies - All Districts                    R99-514  
32451                    **APPROVED AS RECOMMENDED**

### Supervisor Wilson:

- 33 .                    Approve Community Social Program Grant funds to Irvine High School Mighty Marching Vaqueros Band; approve budget adjustments and make appropriate findings, 12/21/99 - 6/30/00 (\$3,500)  
53241                    **APPROVED AS RECOMMENDED**  
N
- 34 .                    Approve official naming of Upper Newport Bay Regional Park to Upper Newport Bay Nature Preserve
- 35 .                    **Supervisor Spitzer and Chairman Smith** - Consider Orange County's participation in A-4 Skyhawk Marine Memorial Program  
31245                    **APPROVED AS MODIFIED TO AMEND RECOMMENDATION 1 TO ADD DIRECTION TO COUNTY EXECUTIVE OFFICE TO INCLUDE VETERANS ADVISORY COUNCIL**

### Internal Audit:

- 36 .                    Receive and file final audit report for Community Services Program managed by CABACO, Inc. - All Districts  
53241                    **APPROVED AS RECOMMENDED**

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37. Direct Internal Audit to provide Control Self-Assessment progress reports as needed - All Districts

## END OF CONSENT CALENDAR

### **III. DISCUSSION ITEMS (Items 38-S57A)**

#### **COMMUNITY SERVICES AGENCY**

38. Approve amendment 2 with various providers for domestic violence shelter service agreements to allow an increase of payment per bed day rate from \$40 to \$70, effective 7/1/99 - All Districts

35241 **APPROVED AS RECOMMENDED**

#### **HEALTH CARE AGENCY**

39. Receive and file report on Public Notification Implementation Plan for Food Establishments - All Districts

34251 **APPROVED AS RECOMMENDED**

40. Approve amendment 3 to agreement 96-26673-03 with State Department of Health Services Cancer Detection Section for Orange County Breast Cancer Early Detection Partnership - All Districts

54231 **APPROVED AS RECOMMENDED**

41. Health Care Agency/Sheriff-Coroner Department/Probation Department - Adopt resolution approving agreement 148-98 with State Board of Corrections for Mentally Ill Offender Crime Reduction Grant, 7/1/99 - 6/30/03 (\$5,034,317); authorize Sheriff-Coroner, as designated Chairman of Mentally Ill Offender Crime Reduction Strategic Committee to execute future modifications under certain conditions - All Districts R99-515

43251 **APPROVED AS RECOMMENDED**

#### **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

42. Relieve low bidder, C.A. Rasmussen, Inc. from obligation; receive and award contract to Griffith Company for widening of Newport Boulevard Phase II, Orange (\$3,488,914) - District 3

32451 **APPROVED AS RECOMMENDED**

#### **Acting as the Board of Supervisors and Orange County Flood Control District:**

43. Approve price agreement N1000002302 with Hardy & Harper Inc. for asphalt concrete pavement maintenance services, 1/11/00 - 1/10/01 (\$491,961); renewable for two additional years; and make California Environmental Quality Act findings - All Districts

54231 **APPROVED AS RECOMMENDED**

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- 44 . Approve price agreement N1000002274 with West Coast Arborists, Inc. for tree trimming  
services, 1/11/00 - 1/10/03 (\$283,625 per year); renewable for two additional years; and make  
California Environmental Quality Act findings - All Districts  
45231 **APPROVED AS RECOMMENDED**

**SOCIAL SERVICES AGENCY**

45. Receive and file MAXIMUS, Inc. One-Year Status Report on accomplishing targeted goals of Case Management and Employment Support Services; and authorize negotiation of agreement for Board approval - All Districts
- 24351 **APPROVED AS RECOMMENDED**

**PUBLIC PROTECTION**

46. **Probation** - Approve resolution approving submission of grant application to State Office of Criminal Justice Planning for Federal Residential Substance Abuse Treatment grant funds, 1/1/00 - 12/31/00 (\$412,717); approve grant award agreement RT 99020300; authorize Acting Chief Probation Officer to execute future modifications under certain conditions; and make California Environmental Quality Act and other findings - All Districts R99-516
- 42351 **APPROVED AS RECOMMENDED**

## GENERAL ADMINISTRATION

**County Executive Office:**

47. Approve price agreement N10000002262 with Network Television Time for professional videotaping services for Board of Supervisors' meetings, 12/21/99 - 12/20/00 (\$196,542); renewable for four additional years (\$181,542 per year); approve one-time costs and County resources for start-up activities (\$40,000); and negotiate agreement for messenger services for delivery of videotapes to cable stations - All Districts  
B.O. **DELETED**
48. Approve revised fee schedule for Community Service Program facilities, MCAS El Toro - All Districts  
B.O. **DELETED**
49. Approve agreement 99-011R with Lake Forest/Foothill Commercial, LLC for payment of costs related to the proposed formation of a Community Facilities District and ratify the Public Financing Advisory Committee's selection of financing professionals - District 3  
35241 **APPROVED AS RECOMMENDED**
50. Receive and file Homeless Prevention and Related Programs Annual Report; and direct County Executive Office to return to the Board in one year with a progress report - All Districts  
34251 **APPROVED AS RECOMMENDED**
51. Direct Auditor-Controller to allocate a portion of litigation proceeds from Foothill/Eastern

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Transportation Corridor, to various Community Facilities Districts and make related budget adjustments (\$7,509,000) - All Districts (R.A. 2, 4/5 vote)

53241  
N

**DIRECTED COUNTY COUNSEL TO PREPARE AND SUBMIT TO THE  
BANKRUPTCY COURT A REVISED STIPULATION TO REFLECT CORRECTION  
TO ORIGINAL STIPULATION RELATING TO THE DISTRIBUTION OF  
BANKRUPTCY LITIGATION FUNDS**

52.

Approve remodel of Court administrative areas to provide additional court room, South Justice Center - District 5

53241

**APPROVED AS RECOMMENDED**

53.

Approve nine new positions for Orange County Employees Retirement System; and amend master position control, effective 12/21/99 - All Districts

34251

**CONTINUED TO 1/11/2000, 9:30 A.M.**

54.

Approve amended price agreement S0000000027 with Gates McDonald and Company for Third Party Administration of Orange County's Workers' Compensation claims, 7/1/00 - 6/30/03 (\$1,643,415)

35241

**APPROVED AS RECOMMENDED**

55.

**Treasurer-Tax Collector** - Receive and file report and approve amended bylaws and rules of procedures for Treasury Oversight Committee; approve 2000 Investment Policy Statement for Treasurer's Pool (s) and adopt resolution delegating authority to invest and reinvest funds of County and other depositors - All Districts R99-517

34251

**APPROVED AS RECOMMENDED**

## **EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE**

56.

At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the External Restructuring Program for the County of Orange. This month's status report also includes recommendations to: A. Receive report on transitional issues for the new City of Rancho Santa Margarita B. Direct the Planning & Development Services Department to establish a planning process and action plan for the South Subregional Natural Communities Conservation Plan and related planning activities outside of the existing sphere of influence areas - All Districts

53241

**APPROVED THE FOLLOWING RECOMMENDATIONS: (A) RECEIVED REPORT ON  
TRANSITIONAL ISSUES FOR THE NEW CITY OF RANCHO SANTA MARGARITA (B)  
DIRECTED THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT TO  
ESTABLISH A PLANNING PROCESS AND ACTION PLAN FOR THE SOUTH  
SUBREGIONAL NATURAL COMMUNITIES CONSERVATION PLAN AND RELATED  
PLANNING ACTIVITIES OUTSIDE OF THE EXISTING SPHERE OF INFLUENCE AREAS  
(C) REAFFIRMED NORTH TUSTIN ANNEXATION MORATORIUM**



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## ORANGE COUNTY CHILDREN AND FAMILIES FIRST COMMISSION

57. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the Orange County Children and Families Commission  
**PRESENTED**

## PLANNING AND DEVELOPMENT SERVICES

- S57A. Approve release of Letter of Credit with Rossmoor Partners, L.P. as security for project impact mitigation, City of Laguna Woods - District 5  
53241 **APPROVED AS RECOMMENDED**

## IV. PUBLIC HEARINGS (Item 58)

### PUBLIC FACILITIES AND RESOURCES DEPARTMENT

58. Public Hearing to consider approving agreements with, execution of quitclaim deed to and grant deed from Serrano Heights 1400 LLC for exchange of property, Santiago Oaks Regional Park; and make California Environmental Quality Act and other findings - District 3  
B.O. **CLOSED PUBLIC HEARING**  
  
34251 **APPROVED AS RECOMMENDED**

## V. CLOSED SESSION

### GENERAL ADMINISTRATION

- SCS1. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Ron Valencia v. County of Orange, Workers Compensation Case Nos. AHM 0061094; AHM 0061095 - All Districts  
**HELD: THE CHAIRMAN REPORTED PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), THE BOARD MET IN CLOSED SESSION WITH LEGAL COUNSEL TO DISCUSS THE CASES LISTED ON TODAY'S AGENDA AS SCS-1. BY UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED SETTLEMENT OF THOSE CASES. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF THE WORKERS' COMPENSATION APPEALS BOARD. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, THE SUBSTANCE OF THE AGREEMENT WILL BE MADE AVAILABLE, IN THE OFFICE OF THE CLERK OF THE BOARD, TO ANY PERSON WHO INQUIRES.**

## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### PUBLIC COMMENTS:

Patricia Harrigan - Oral RE: League of Women Voters support of televised Board meetings

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## **BOARD COMMENTS:**

Supervisor Spitzer - Responded to Patricia Harrigan's comments

## **ADJOURNED 12:57 P.M**

### \*\*\* KEY \*\*\*

#### *Left Margin Notes*

1. v Chairman Smith
2. v Supervisor Silva
3. v Supervisor Spitzer
4. v Supervisor Coad
5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order

#### *Right Margin Notes*

- O. v Ordinance
- R. v Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*CHARLES V. SMITH, CHAIRMAN  
Orange County Board of Supervisors*

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*DARLENE J. BLOOM  
Orange County Clerk of the Board*